

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6985

BILL NUMBER: SB 365

NOTE PREPARED: Mar 11, 2013

BILL AMENDED: Mar 7, 2013

SUBJECT: Utility Facility Relocation.

FIRST AUTHOR: Sen. Crider

FIRST SPONSOR: Rep. Koch

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: The bill authorizes a unit of local government to enter into an agreement with a utility concerning the relocation of the utility's facilities for a major highway, street, or road project undertaken by the local unit. It requires that the agreement must include a date for relocation and conditions under which the utility is excused from meeting the date, including a force majeure clause.

The bill specifies that a unit that is responsible for relocation costs shall pay the costs in arrears in accordance with the procedures of the State Board of Accounts.

Effective Date: July 1, 2013.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: The bill is expected to have minimal fiscal impact on local units.

Any fiscal impact will result from a local unit establishing an improvement project as a major project and requirements to make a reasonable effort to identify and notify utilities. The statute includes authority for a local unit to enter into an agreement with a utility to relocate the facility.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Local units undertaking major projects.

Information Sources:

Fiscal Analyst: Karen Firestone, 317-234-2106.